

SERVING CANADIANS



DEPARTMENT OF  
JUSTICE CANADA

Report on  
Plans and Priorities

2007-2008



Department of Justice  
Canada

Ministère de la Justice  
Canada

Canada



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## SECTION I—OVERVIEW

### Message from the Minister of Justice

The Department of Justice plays an important and unique role in the federal government and in Canada's justice system. Over the past year, the Department has focused much attention and energy on tackling crime—one of the Government's five priorities. In the coming fiscal year, we will build on this progress and work toward a justice system that is more accountable, effective, accessible, and responsive.

More recently, with the passage of the *Federal Accountability Act*, the Government has taken a major step toward making public administration more open and transparent, as well as more accessible.

One key element of the new *Act* was the creation of the Public Prosecution Service of Canada (PPSC). The PPSC will have independence to pursue prosecutions under federal law and will report to Canadians on its performance. It is important for transparency and for the integrity of the federal justice system that prosecutions under federal law operate independently of the Attorney General of Canada and of the political process. The establishment of the PPSC will have a direct impact on the Department of Justice and its work. While some details will need to be addressed during the transition, the Department will continue to support me in working to ensure that Canada is a just and law-abiding society with an accessible, efficient and fair system of justice while providing high-quality legal services and counsel to the government and to client departments and agencies as well as promoting respect for rights and freedoms, the law and the Constitution.

We will also continue to work closely with our colleagues throughout the justice system to ensure an efficient system. In this regard, the Department has begun reviewing recommendations from the Steering Committee on Justice Efficiencies and Access to the Justice System. The Committee is composed of six Deputy Ministers of Justice from the federal and provincial levels, six representatives of the Judiciary and three members of the private bar. The Committee's recommendations touch on issues such as mega-trials, and early case consideration among others.

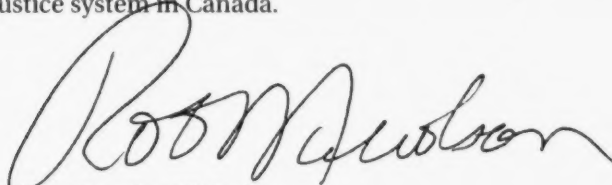
An effective justice system has to be responsive to the concerns of the public. For example, most recently, the Government has introduced several initiatives to enable victims to be better heard within the system, and further ideas will be explored in the coming year, including the establishment of a Federal Ombudsman for Victims of Crime.



In the same way, we will continue to respond to the public's concerns by pursuing our mandate of tackling crime. Legislation to deal with the reckless and dangerous practice of street racing is now in force. The Department will continue to provide support for legislation already brought forward on a number of issues: conditional sentencing, mandatory minimum penalties for serious gun crime, DNA identification, raising the age of protection, reforming bail provisions for offences involving firearms, strengthening laws against drug- and alcohol-impaired driving, and strengthening sentencing for dangerous offenders. In addition, more work will be done toward developing a new national drug strategy.

At the departmental level, work will continue on issues such as sustainable funding for legal services, managing the volume of litigation, legal risk management, performance measurement, and developing the skills and knowledge of our workforce.

My Department has been fortunate to have the cooperation and support of many partners, including other departments and levels of government, the bench and the bar, the police, and others involved in the courts and the law enforcement community. I look forward to working together over the coming year to address these challenges and improve the justice system in Canada.

A handwritten signature in black ink, appearing to read 'Rob Nicholson', written in a cursive, flowing style.

Robert Douglas Nicholson  
Minister of Justice and Attorney General of Canada

## Message from the Deputy Minister

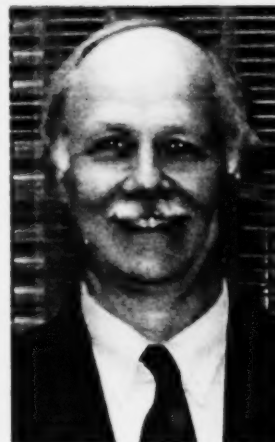
The Department of Justice strives for excellence in the practice of law. It is a leader in Canada and internationally and at the forefront of legal issues that are relevant to the daily lives of Canadians. The Department helps the federal government to develop policy and to draft and reform laws as needed so that priorities and key commitments are realized to the benefit of all Canadians. In support of the Minister and the Government, the Department will focus on three priorities over the next fiscal year:

- An effective and accessible justice system;
- Protecting Canadian communities; and
- Supporting other government departments and agencies in achieving Government of Canada priorities.

Another key area of focus over the next year will be the continued management of the transition of approximately fourteen percent of DOJ employees to the Public Prosecution Service of Canada (PPSC). The realization of this key Government commitment, an important element of the *Federal Accountability Act*, came into force on December 12<sup>th</sup>, 2006.

On the corporate management side, as Deputy Minister of Justice and Deputy Attorney General, I have been committed to bringing increased discipline and rigour to our management policies and processes that support the Minister of Justice and Attorney General of Canada and more broadly that enable the Government of Canada to pursue its policy and program agenda. In this vein, I am pleased at the progress of the Department in cementing good management practices in line with the government's Management Accountability Framework (MAF). The MAF establishes the standards for management in the Government of Canada and is the basis for management accountability between departments/agencies and the Treasury Board Secretariat (TBS) and the Public Service Human Resources Management Agency (PSHRMAC). The 10 elements of the MAF collectively define "management" and establish the expectations for good management of a department or agency. In response to the recently completed MAF assessment of the Department, I am committed to maintaining our high ratings over the next year while focussing on the few areas that TBS has identified as areas with opportunity for improvement.

Other corporate priorities include building our performance management capacity. As an example, we will build on our progress in collecting and reporting on stakeholder feedback on the utility, timeliness and responsiveness of the full range of legal services that we provide to the Government of Canada. The results of this year's activities will serve as baselines against which we can monitor and assess our performance.



We will also continue our work in the area of legal risk management, that is, to ensure that legal risk across the federal government is anticipated, mitigated and effectively managed. As well, we will be implementing the new sustainable funding regime for the delivery of legal services.


The priorities and planned spending presented in this report reflect the Department of Justice's efforts to support the delivery of the Government's agenda.

## Management Representation Statement

I submit for tabling in Parliament, the 2007-2008 Report on Plans and Priorities for the Department of Justice Canada.

This document has been prepared based on the reporting principles contained in the *Guide for the Preparation of Part III of the 2007-2008 Estimates: Reports on Plans and Priorities and Departmental Performance Reports*:

- It adheres to the specific reporting requirements outlined in the Treasury Board Secretariat guidance;
- It is based on the Department's Strategic Outcome(s) and Program Activity Architecture that were approved by the Treasury Board;
- It presents consistent, comprehensive, balanced and reliable information;
- It provides a basis of accountability for the results achieved with the resources and authorities entrusted to it; and
- It reports finances based on approved planned spending numbers from the Treasury Board Secretariat in the RPP.



John Sims  
Deputy Minister of Justice and Deputy Attorney General

## Summary Information

### Raison d'être

The justice system defines and prescribes the balance between collective and individual rights and responsibilities that ensure a well-ordered society. As such it affects almost every facet of Canadians' daily lives from guiding everyday activities that ensure our safety to supporting social policies and social benefits, regulating our economy, and offering ways to resolve disputes peacefully where there are disagreements or conflicts between people, organizations, and/or governments.

Maintaining a system that serves all Canadians is a central focus for the Department of Justice (DOJ), which strives to ensure that the system remains fair, accessible and efficient as it evolves in response to social change.

### Role of the Department

The Department of Justice is headed by the Minister of Justice and the Attorney General of Canada. The responsibilities of the Minister and the Attorney General are set out in the *Department of Justice Act* and 47 other Acts of Parliament. The Department of Justice fulfills three distinctive roles within the Government of Canada, acting as a:

- policy department with broad responsibilities for overseeing all matters relating to the administration of justice that fall within the federal domain;
- provider of a range of legal advisory, litigation and legislative services to government departments and agencies; and
- central agency responsible for supporting the Minister in advising Cabinet on all legal matters including the constitutionality of government activities.

### Mission

The Department's mission is to:

- Support the Minister of Justice in working to ensure that Canada is a just and law-abiding society with an accessible, efficient and fair system of justice;
- Provide high-quality legal services and counsel to the government and to client departments and agencies; and
- Promote respect for rights and freedoms, the law and the Constitution.

## Benefits to Canadians

The Department of Justice plays an important role in supporting the Government's priority of protecting Canadian families and communities. Furthermore, the Department is a Federal Organization that supports all of the Government of Canada's priorities through its provision of legal services to other departments and agencies.

### Departmental Planned Spending: Summary of Resources

#### Financial Resources (in millions of dollars)

2007-2008	2008-2009	2009-2010
717.7	693.3	685.4

#### Human Resources (in Full-time Equivalents or FTEs)

2007-2008	2008-2009	2009-2010
4,140	4,150	4,150

### Departmental Priorities

Name	Type
1. Effective and accessible justice system	On-going
2. Protecting Canadian communities	On-going
3. Supporting other government departments and agencies in achieving Government of Canada priorities	On-going



## Program Activities by Strategic Outcome

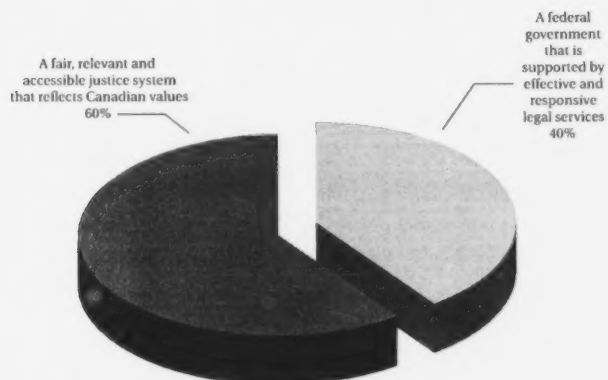
(\$ millions)	Planned Spending			Contributes to the following priority
	2007-2008	2008-2009	2009-2010	
Strategic Outcome: A Fair, relevant and accessible justice system that reflects Canadian values				
A.1 Developing policies and laws: Results: Policies and Laws are developed in response to identified needs and gaps and are integrated with Government priorities and commitments	44.2	38.7	38.6	Priority No. 1 and 2
A.2 Developing and implementing programs: Results: Programs are developed and implemented in response to identified needs and gaps and are integrated with Government priorities and commitments	385.5	369.2	368.8	Priority No. 1
A.3 Office of the Federal Ombudsman for Victims of Crime	1.5	1.5	1.5	Priority No. 1
Total - Strategic Outcome 1	431.2	409.4	408.4	
Strategic Outcome: A federal government that is supported by effective and responsive legal services <sup>1</sup>				
B.1 Providing legal advisory, litigation and legislative services to government Results: High quality legal services and respect for the rule of law; legal risk is anticipated, mitigated and effectively managed	286.5	283.8	276.5	Priority No. 3
Total - Strategic Outcome 2	286.5	283.8	276.5	
Total Planned Spending	717.7	693.3	685.4	

## 2007-2008 Resources by Program Activity

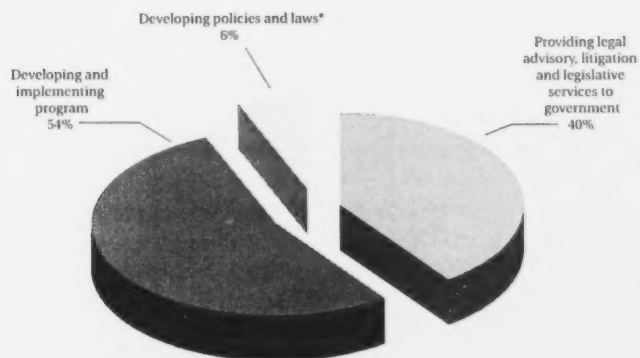
(\$ millions)	2007-2008 Budgetary				
	Operating	Grants & Contributions	Total Main Estimates	Adjustments	Total Planned Spending
<b>Strategic Outcome 1: A fair, relevant and accessible justice system that reflects Canadian values</b>					
Developing policies and laws	41.1	-	41.1	3.1	44.2
Developing and Implementing Programs	7.0	266.4	273.4	112.1	385.5
Office of the Federal Ombudsman for Victims of Crime			0.0	1.5	
<b>Strategic Outcome 2: A federal government that is supported by effective and responsive legal services</b>					
Providing legal advisory, litigation and legislative services to government	281.2	-	281.2	5.3	286.5
<b>Total Planned Spending</b>	<b>329.3</b>	<b>266.4</b>	<b>595.7</b>	<b>122.0</b>	<b>717.7</b>

<sup>1</sup> Previous reports listed Program Activity B.2, Providing Prosecution Services which is now the responsibility of the Public Prosecution Service of Canada.

## 2006-2007 Planned Spending by Strategic Outcome



## 2006-2007 Planned Spending by Program Activity



\* 1.5 million \$ of the Department's reference level is allocated to the program activity, "Office of the Federal Ombudsman for Victims of Crime" (.01%).



## Operating environment

The Department of Justice has approximately 4100 employees. While roughly one half of departmental staff are lawyers, there are a number of other professionals in the Department including paralegals, social scientists, program managers, communications specialists, administrative services personnel, computer services professionals and financial officers. In addition to a national headquarters and a network of legal services units located in departments and agencies throughout the National Capital Region, the Department provides services across the country through a network of regional offices and sub-offices. A little less than half of all departmental staff are located in the regional offices and sub-offices.

The Department has two types of expenditures: operating expenditures and transfer payments. Approximately 47 percent of the Department's spending is for operating expenditures. The operating expenditures are predominantly devoted to staff and related costs (salary, training, office equipment, etc.). About 85 percent of operating expenditures (or 40 percent of total planned spending) is devoted to the delivery of integrated advisory, litigation and legislative legal services to client departments and agencies. A significant portion of the operating expenditures incurred in delivering legal services (about 64 percent) is recovered from client departments and agencies. This represents approximately 25 percent of the Department's total expenditures.

The Department of Justice underwent a significant organizational change during fiscal year 2006-07 as a result of the creation of the PPSC. The establishment of this new organization was one of the key promises of the Government under the auspices of the *Federal Accountability Act*. In order to address the requirements of the *Director of Public Prosecutions Act*, with few exceptions, all employees of Federal Prosecution Service (FPS) became employees of the PPSC as of December 12th, 2006 and the result that the number of Department of Justice employees has been reduced by approximately 14 percent. The creation of the PPSC has had a significant impact on the operations of the regional offices. For example, the number of DOJ staff in regional offices has been reduced by 25 percent. In addition, the Northern Regional office faces particular challenges in dealing with the transfer of employees to the PPSC. They will be focussing on building partnerships with other federal departments with a northern presence, to optimize resource use through common services agreements.

## Participatory justice: working with partners

We work with others in the justice system, including nongovernmental and community-based organizations to generate innovative, cost-effective ways of delivering services that improve access to the justice system including access to justice in both official languages, and keep it relevant and responsive in a diverse society. Similarly, we work with federal departments and agencies in areas such as safety and security and Aboriginal justice to help achieve overarching Government of Canada strategic outcomes. At the same time, we are managing a fine balance between priorities and diverse responsibilities. Some of our key partners include:

- Canadian public, including non-governmental and community-based organizations;
- Parliamentarians;
- The judiciary, the bar and the research community;
- La Chambre des notaires du Québec;
- Law faculties;
- Approximately 50 federal departments and agencies (while the Department refers to federal departments and agencies as “clients” for ease of understanding, it is important to note that all work is done on behalf of the Crown, not a specific branch of the Government of Canada);
- Provinces and Territories with which the Department has shared jurisdiction over the legal system and to which funds are transferred for youth justice, legal aid and other programs; and
- Foreign governments and international organizations, directly and in conjunction with Foreign Affairs Canada.

## SECTION II – ANALYSIS OF PROGRAM ACTIVITIES BY STRATEGIC OUTCOME

**Strategic Outcome I : A fair, relevant and accessible justice system that reflects Canadian Values**

### **Expected results<sup>2</sup>:**

- Responding to evolving legal framework;
- Policies and laws are developed in response to identified needs and gaps and are integrated with Government priorities and commitments; and
- Programs are developed and implemented in response to identified needs and gaps and are integrated with Government priorities and commitments.

### **Program Activities in support of the Strategic Outcome:**

#### **A1 - Developing policies and laws**

##### **Financial Resources (\$ millions):**

2007-2008	2008-2009	2009-2010
44.2	38.7	38.6
<b>Human Resources (in Full-time Equivalents)<sup>3</sup></b>		
219	221	221

<sup>2</sup> Results from individual program and initiative areas are aggregated to demonstrate performance against expected results for Strategic Outcome I.

<sup>3</sup> The resources numbers include the percentage of costs of common services apportioned to each program activity.

## A2 - Developing and implementing programs

### Financial Resources (\$ millions):

2007-2008	2008-2009	2009-2010
385.5	369.2	368.8
<b>Human Resources (in Full-time Equivalents)</b>		
144	144	144

## A3 – Office of Victims Ombudsman

### Financial Resources (\$ millions):

2007-2008	2008-2009	2009-2010
1.5	1.5	1.5
<b>Human Resources (in Full-time Equivalents)</b>		
9	9	9

## Part A: Strategic overview – Delivering on priorities

### Priority I - Effective and accessible justice system:

Canadians rely on the justice system to provide an independent and impartial forum for resolving disputes. To serve Canadians in all our diversity, the system must be fair, relevant and accessible. The administration of justice is an area of shared jurisdiction with the provinces and territories. Within this structure, the Department is responsible for developing policies and legislation to strengthen our bilingual and bijural national legal framework. The provinces in turn are responsible for the day-to-day administration of justice. The Department works with others in the justice system to make sure it reflects our shared values by treating everyone equitably and respecting their rights and the diversity of our civil and common law traditions.

The effectiveness of the administration of justice depends on close cooperation with provinces and territories, both in policy development and in allocating the cost of providing services to Canadians – youth justice services, legal aid, public legal education and information, family justice, the access to justice in both official languages and other programs to improve or maintain access to the justice system. For the most part, the Department does not deliver programs and services directly to the Canadian public<sup>4</sup>. Instead, it provides funding to assist the provinces and territories in delivering justice-related programs that fall within their areas of constitutional jurisdiction. In this context, transfer payments to provinces, territories and community-based organizations represent approximately 53 percent of the Department's total spending. Most of this funding (about 69 percent of the transfer payments or 36 percent of the total planned spending) is for two large contribution programs to support citizen access to provincial and territorial legal aid programs and to support youth justice services administered by the provinces and territories. Additionally, the Department provides a range of smaller grants and contributions to provinces, territories and community organizations, including official language minority communities, to support the delivery or testing of new approaches to justice-related programs and services.

An effective justice system is one that is responsive. In this vein, the application of international law to domestic law has assumed a huge presence on the Canadian legal landscape, and several themes emanating from the Speech from the Throne signal the continued importance of international law issues: strengthen our federation as well as our role in the world; open federalism; facilitate provincial participation in the development of Canadian positions that affect areas of provincial responsibility; and build stronger multilateral and bilateral relationships.

4 Services that are delivered directly to the Canadian public are as follows: processing of access requests filed under the *Access to Information Act*, the Family Orders and Agreements Enforcement Assistance Services, Central Registry of Divorce Proceedings services, and the Garnishment, Attachment and Pension Diversion Registry service.

Figure 1 below illustrates the planned activities for 2007-08 in support of this priority.

**Figure 1**

**Public Law:**

- Assess the impact of international human rights instruments on domestic legislation policy, and assist in the negotiation and development of Canada's position on the signature and ratification of new international human rights instruments;
- Consult with provinces on the development of Canadian positions that affect areas of provincial responsibility, and negotiating international private law instruments; and
- Identify Canada's international trade and investment law rights and obligations, assess their impact on domestic law and policies, and implement the Government's ambitious negotiation mandate vis a vis international trade and investment.

**Legal Aid:**

- Support work of federal-provincial-territorial (FPT) committees and working groups in relation to legal aid issues, such as legal aid cost sharing, reporting and court-ordered counsel;
- Renew and implement agreements respecting legal aid with the provinces and territories; and
- Undertake two audits of Legal Aid funding agreements.

**Family Justice:**

- Continue to collaborate with provinces and territories as well as international partners to develop appropriate policy and program tools for the family justice system, including renewal of the current strategy; and
- Support provinces and territories in the delivery of family justice services through the negotiation of agreements under the Child-Centred Family Justice Fund.

**Aboriginal Justice:**

- Implement a renewed Aboriginal Justice Strategy that involves consulting with and negotiating agreements with provinces, territories, Aboriginal communities and organizations; and
- Renew Aboriginal Courtwork Program terms and conditions; negotiate new funding arrangements to support Aboriginal Courtwork services in participating provinces and undertake a summative evaluation of the Program.

**Youth Justice:**

- Analyse and develop options for legislative reform to strengthen the *Youth Criminal Justice Act (YCJA)*, specifically by reviewing pre-trial detention law, policies and evaluation of the *YCJA*; and
- Negotiate new funding arrangements with provinces and territories for the Intensive Rehabilitative Custody and Supervision (IRCS) Program.

**Victims of Crime:**

- Continue to implement existing programs such as the Victims Fund;
- Support the development and enhancement of support and services to victims of crime through the Victims Fund;
- Continue to work with the FPT WG on Victims of Crime and other partners to identify and respond to existing and emerging victim issues;
- Establish new policies and programs within federal jurisdiction to increase access to the justice system and victim services for victims;
- Formative evaluation of the Federal Victim Strategy\*; and
- Establish office of Federal Ombudsman for Victims of Crime in order to support:
  - raising awareness of the needs and concerns of victims in areas of federal responsibility;
  - providing an independent resource that addresses complaints of victims about compliance with the provisions of the *Corrections and Conditional Release Act* that apply to victims of offenders under federal supervision; and
  - assisting victims to access existing federal programs and services.

**Access to Justice in Both Official Languages**

- Improve the implementation of the language provisions of the *Criminal Code* (sections 530 et al.); and
- Improve the active offer of legal and judicial services in both official languages.

\* previously referred to as the Victims of Crime Initiative



## Priority II - Protecting Canadian communities:

Protecting Canadian families and communities is a cornerstone of the Government's justice agenda and thus, a key priority for the Department. The initiatives put forward in the last few months — criminal legislative reforms, plans for effective gun control, and investments in safety and security—will help strengthen the justice system and make it more effective.

In supporting the priority of protecting Canadian communities, through the development of policies and laws, the development and implementation of programs and supporting rigorous evaluation requirements, the department is committed to delivering results to Canadians as illustrated in the box below in Figure 2.

**Figure 2**

### **International:**

- Negotiation of international criminal law and criminal justice instruments;
- Implementation of commitments flowing from international criminal law and criminal justice instruments, e.g. terrorism, corruption and transnational organized crime; and
- Reporting on Canadian implementation efforts and evaluating the implementation efforts of other countries.

### **Safety and security:**

- Participation in Government of Canada activities in support of safety and security, e.g. the coordination of the preparation of the Government response to Parliamentary recommendations on the *Anti-terrorism Act*;
- Summative evaluation for the DoJ component of the Public Safety and Anti-Terrorism Initiative;
- Updating federal legislation, in particular the *Criminal Code*, in order to deal with the challenges of new telecommunications technologies, including the Internet; and
- Developing legislation that provides more effective sentences for serious offences.

### **Youth Justice:**

- Implementation of a new Youth Crime Prevention Strategy with a focus on gangs, guns and drugs.



## Part B: How we will measure our performance under this strategic outcome:

The Department approaches performance measurement from two interrelated perspectives<sup>5</sup>. First, there are those measures that are aimed at tracking performance of **activities and outputs** over which the Department has direct control and is directly accountable. Workload indicators such as files opened and closed, hours logged, etc, are examples of these types of measures.

The second level of measures relate to the **results** of our activities over which we exercise **influence**. That is to say that while we cannot control the results of the activities, we do have some level of influence over the extent to which the results can be achieved. However, there are other identifiable groups who also either have influence or control over those results. Consequently, accountability for those results is shared. By way of illustration, two examples of this type of measure are the number of people receiving assistance from provincial legal aid programs, and client feedback on the timeliness, utility and responsiveness of legal services provided by the Department of Justice.

In a similar vein, the Department monitors **broader societal trends** over which it may exert some level of **influence**. Examples of such trends which the Department is tracking include:

- Victimization rates
- Incarceration rates
- Crime rates
- Overall confidence in the justice system<sup>6</sup>

5 Concepts of control and influence as reflected in this section were adapted from material developed by Principals at the Performance Management Network  
[http://soc.kuleuven.be/pol/io/egpa/qual/ljubljana/Valovirta%20Uusikila\\_paper.pdf](http://soc.kuleuven.be/pol/io/egpa/qual/ljubljana/Valovirta%20Uusikila_paper.pdf).  
 For further reading on this subject, the reader is directed to the following sites: DISCUSSION PAPER: Addressing Attribution Through Contribution Analysis: Using Performance Measures Sensibly, John Mayne, Office of the Auditor General of Canada, 1999,  
<http://www.oag.bvg.gc.ca/domino/other.nsf/html/99menu5e.html#discussion>.

6 If the reader is interested in detailed analysis of these types of trends, they are invited to visit the Statistics Canada website where the rigorous results of many studies, including the General Social Survey provide in-depth analysis of social factors, including crime and victimization rates (<http://cansim2.statcan.ca/cgi-win/cnsmcgi.exe?Lang=E&ResultTemplate=Srch2&CORCmd=GetTList&CORId=2693>).

As well, the reader is directed to the TBS website which includes "Canada's Performance" report, which tracks high level societal indicators ([http://www.tbs-sct.gc.ca/report/govrev/06/cp-rc\\_e.asp](http://www.tbs-sct.gc.ca/report/govrev/06/cp-rc_e.asp)).

The Department is interested in measures related to both control and influence. Our interest in the first type of performance measures is aligned with our direct accountabilities, i.e. effective stewardship of Government resources. Our interest in the second type (i.e., results over which we have at best some level of shared accountability with others), revolves around our desire to identify areas where we may want to try to enhance the level of influence we can bring to bear through a variety of management actions, or alternatively, to identify areas where we are apparently unable to exercise influence and thus possibly rethink our continued involvement.

The Department also undertakes periodic evaluations in order to determine the extent to which programs, policies and initiatives are relevant, operating effectively and achieving anticipated impacts. For a listing of evaluations which will be initiated or completed during fiscal year 2007-2008, please refer to Table 9, Section III – Supplementary Information, of this report.

In Figure 3, the reader will find a listing of the results the Department will be tracking in support of the achievement of the two priorities for the fiscal year 2007-2008.<sup>7</sup>

<sup>7</sup> For detailed information regarding spending for the Transfer Payment Programs, please refer to Table 6. Details on Transfer Payments Programs in Section III – Supplementary Information of this document. More details are also available on the TBS website TPP database at ([http://www.tbs-sct.gc.ca/rpp/0708/menu\\_f.asp](http://www.tbs-sct.gc.ca/rpp/0708/menu_f.asp)).

Figure 3

**Priority I: Effective and accessible justice system**

Expected Results	Data Sources
<ul style="list-style-type: none"> <li>The justice system is more responsive to the needs of Aboriginal people</li> </ul>	Departmental Files – Annually
<ul style="list-style-type: none"> <li>More effective criminal law, responsive to the needs and values of Canadians and consistent with the <i>Charter</i></li> <li>Encourage effective rehabilitation and reintegration of young persons in their communities</li> <li>Alternative youth justice approaches are developed and used by the youth justice system</li> </ul>	Departmental Files – Annually  Canadian Centre for Justice Statistics – Annually  Departmental Files – Annually
<ul style="list-style-type: none"> <li>Increased access by victims to the criminal justice system and to programs/services and assistance available to them</li> </ul>	Departmental Files – Annually Evaluation studies – 3-5 years
<ul style="list-style-type: none"> <li>Justice system is more responsive to the needs of children and families undergoing separation and divorce</li> <li>Increased use of family justice services by parents and children</li> <li>Justice system more accessible to official language minority communities</li> </ul>	Departmental Files – Annually Evaluation studies – 3-5 years  Departmental Files – Annually  Feedback from partners – Annually Evaluation study – 5 years
<ul style="list-style-type: none"> <li>Justice system is accessible to economically disadvantaged Canadians involved in serious legal matters</li> <li>Legal aid services provided to economically disadvantaged persons in serious criminal matters</li> </ul>	Departmental Files – Annually Canadian Centre for Justice Statistics – Annually  Departmental Files – Annually Canadian Centre for Justice Statistics – Annually

**Priority II: Protecting Canadian communities**

<b>Expected Results</b>	<b>Data Sources</b>
<ul style="list-style-type: none"><li>• Reduced victimization of children and vulnerable groups</li></ul>	Departmental Files – Annually General Social Survey, Statistics Canada – Every 5 years
<ul style="list-style-type: none"><li>• Reduced victimization, crime and incarceration among Aboriginal communities</li></ul>	Feedback from Partners – Annually Canadian Centre for Justice Statistics – Annually

## Strategic Outcome II: A federal government that is supported by effective and responsive legal services

### Expected Results <sup>8</sup>:

- High quality legal services and respect for the rule of law; and
- Legal risk is anticipated, mitigated and effectively managed

### Program Activities in support of the Strategic Outcome:

#### B 1. Providing legal advisory, litigation and legislative services to government

##### Financial resources (\$ millions):

2007-2008	2008-2009	2009-2010
286.5	283.8	276.5

##### Human Resources (in Full-time Equivalents):

2007-2008	2008-2009	2009-2010
3768	3776	3776

<sup>8</sup> Results from the indicators listed in Part B are aggregated to demonstrate performance against expected results for Strategic Outcome II.

## **Part A: Strategic overview – Delivering on priorities**

### **Priority III - Supporting other government departments and agencies in achieving Government of Canada priorities**

Under the *Department of Justice Act*, the Minister of Justice and Attorney General provides legal services to the federal government and its departments and agencies, including the provision of legal advice, the conduct of litigation, the drafting of legislation and the preparation of legal documents.

The Department of Justice is one of a number of key federal organizations that support all Government of Canada outcomes by providing common services to government departments and agencies<sup>9</sup> and as such, the Department's priority is to help Government achieve its priorities in delivering results for Canadians.

Facilitating departments and agencies in the delivery of government priorities creates a distinct context for planning, setting priorities and measuring performance. The department works with our clients to develop and advance their priorities, providing legal services that are responsive, timely and effective. Excellence in service delivery is critical, especially in the context of the consistent growth in both the complexity and the demand for legal services. Some of the drivers for this demand include the growth of class action proceedings against the Crown and the ongoing rapid development of aboriginal law.

The elements below concretely illustrate how we carry out our on-going work while ensuring that we have the capacity and flexibility to react to a changing environment and government agenda.

### **How we are organized to support the work under this strategic outcome**

#### **Portfolios:**

There are five portfolio organizations that have functional responsibility for and provide leadership with respect to all litigation and advisory services that the Department provides to client departments and agencies. Their goal is to provide high-quality and cost-efficient legal services to their clients while also carrying out their central agency responsibilities for Justice. The portfolios are Aboriginal Affairs; Tax Law; Citizenship, Immigration and Public Safety (which serves the RCMP, CSIS, Correctional Services, National Parole Board and Canada Border Services Agency);

9 See "Canada's Performance 2006: The Government of Canada's Contribution – Annual Report to Parliament", [http://www.tbs-sct.gc.ca/report/govrev/06/cp-rc\\_e.asp](http://www.tbs-sct.gc.ca/report/govrev/06/cp-rc_e.asp).

Central Agencies (serving the Department of Finance, the Treasury Board and the Public Service Commission, among others); and Business and Regulatory Law (serving 23 government clients, ranging from Health Canada to the Competition Bureau), and the Justice Portfolio. The portfolio organizations work to ensure the national consistency of positions on important points of law, and in the policies and practices developed across the federal government.

Within the portfolio organizations, a significant proportion of the Department's counsel are assigned to departmental legal services units (DLSUs), which are co-located with client departments and agencies and in six regions. LSUs provide legal advice to their clients with respect to their powers and duties, and ensure that the conduct of their affairs are in accordance with the law. In doing so, LSUs also provide advice with respect to the statutes and regulations that apply to the Government of Canada, and strategic advice concerning policy development and other initiatives.<sup>10</sup>

### **Regional Offices:**

Six regional offices—serving the North, British Columbia, the Prairies, Ontario, Quebec, and the Atlantic provinces—support the portfolio structure by serving clients and handling litigation and legal advisory work locally. About *half* the Department's staff work in regional offices.

Regional staff are responsible for effectively managing a large volume of litigation and advisory services on behalf of client departments. They work closely with their portfolio and policy colleagues to handle complex, high-profile cases. The creation of the Public Prosecution Service of Canada (PPSC) has a significant impact on the way work is carried out in the regions. All regional offices will be supporting the transfer of staff, and other logistical and operational changes that are effective April 1st, 2007.

Staff at regional offices, along with those at headquarters in Ottawa, form the national network of Justice counsel who serve as the Government's law firm. Figures 4 and 5 below provide two examples of how the Department, through the portfolio structure and regional network, is able to support government departments and agencies in achieving Government priorities.

10 The Department's general policy is that legal work within our statutory mandate should be handled by departmental counsel. At times however, operational demands necessitate using private sector counsel, who are appointed as legal agents of the Attorney General of Canada, to carry out this mandate. To ensure clarity, consistency and control in the use of legal agents, the Department has a framework for determining what work can or should be outsourced and a protocol and supporting practices for selecting and appointing agents. Competence and integrity remain the primary considerations in the selection process, and selection is based on the premise that the Government of Canada is entitled to receive the highest quality of legal service and advice consistent with the reasonable demands of economy, efficiency and effectiveness. Decisions to outsource legal work are made in consultation with clients, who are responsible for costs incurred. Justice counsel are responsible for supervising and monitoring legal agent activities, reviewing the reasonableness of costs claimed for services rendered, and where appropriate recommending that payment be made.



**Figure 4****Tax Law Services**

The Tax Law Services (TLS) Portfolio supports the priorities of the Canada Revenue Agency (CRA). Tax Law Services Portfolio counsel at headquarters and in the regions are intensifying their national strategic approaches to align with their client's priorities, the Canada Revenue Agency. For example, growth in international law has resulted in a focus amongst tax administrations internationally to detect and shut down abusive tax schemes. The Portfolio is continually strengthening its capacity to respond to the Agency's new audit strategies that ensure taxpayers meet their obligations. Counsel in the regional offices, in particular those regions with multiple centres, including the Atlantic, Quebec, Prairies, and B.C. will be focussed on supporting the multidisciplinary teams at the Tax Services Offices of CRA.

**Figure 5****Aboriginal Affairs Portfolio**

The Aboriginal Affairs Portfolio supports the Department of Indian and Northern Affairs and Northern Development, the Office of Indian Residential Schools Resolution Canada and all other government departments that maintain policies, programs and services targeted to Aboriginal client groups across Canada. The Portfolio provides legal advice to federal government departments on a wide spectrum of Aboriginal law issues including Aboriginal rights and title; duty to consult; treaty rights; the fiduciary relationship of the Crown with Aboriginal people; and constitutional Charter issues relating to Aboriginal law.

The network of regional offices also works closely with the Portfolio to support government departments, however, each office deals with its own unique context in terms of the Aboriginal population and Aboriginal issues specific to their region. These may be demographic in nature or issue specific such as the Resolution of Indian Residential Schools Claims in the Prairies. Issues may cut across a number of provinces and territories and require strong coordination between the Regional Offices. One example is the support for the McKenzie Gas and other Pipelines which, over the next fiscal year, will involve the B.C. Regional Office, the Prairie Regional Office and the Northern Regional Office.



## Special Branches:

Several specialized branches complement the provision of legal services to clients:

a) **The Legislative Services Branch** provides drafting, revision and advisory services to the Government for both bills and regulations to establish and maintain the legislative framework for government policies and programs. Bills introduced in Parliament – and regulations made by the Governor in Council and other delegates – must address the subject matter in both English and French and respect the *Canadian Charter of Rights and Freedoms* and the *Canadian Bill of Rights* along with other laws. As well, bills and regulations must reflect Canada's common law and civil law traditions where appropriate. The Branch is also responsible for the publication of federal laws, notably an electronic consolidation of Acts and regulations that is available on the Internet. During 2007-2008, the Branch will focus on supporting the Government's legislative agenda as well as developing and implementing Smart Regulation proposals involving the application of the *Statutory Instruments Act*, the revision of regulations and the format for printing legislative texts. It will also oversee the completion of the review and potential re-enactment of legislative instruments under the *Legislative Instruments Re-enactment Act* and continue to advance the harmonization of federal legislation with the civil law of Quebec.

b) **The Public Law Sector (PLS)** is made up of a number of specialized legal advisory and policy sections. It comprises experts on human rights law, constitutional and administrative law, information law and privacy, aviation law, trade law, public international law, private international law, judicial affairs, and public law policy. The various sections combined are a core resource for the Department, offering highly specialized legal policy expertise and assisting the Department in fulfilling its central agency role as coordinator of legal advice across government.

The Public Law Sector also provides extensive support to the Government in the development of national and international policies, laws, and other instruments. This support includes policy development and legal advisory services on issues specific to the Justice portfolio as well as legal advisory services to client departments engaged in the development of legislation and policies across government.

In 2007-2008, the Government's policy agenda in relation to accountability, security, parole reform and democratic renewal will require extensive advisory and legal policy support from PLS in relation to: access to information and privacy reform; addressing the issue of racial profiling under the auspices of Canada's action plan against racism; initiatives aimed at enhancing the justice system and strengthening national security; parole reform; and, ways to enhance democratic participation.

c) **The Litigation Branch** has functional responsibility over litigation involving the Government of Canada in the common law provinces and territories.

The establishment of the PPSC had implications for the functions carried out by the Branch. The Branch formerly responsible for civil litigation matters is now comprised of the Civil Litigation Division and the Criminal Litigation Division. The Branch's new organization now includes the following:

- The Civil Litigation Section, which along with its counterparts in the Regional Offices, is responsible for the conduct of all litigation by or against the federal government, except tax and criminal litigation.
- The Management of Class Actions and Mass Litigation Unit manages horizontal issues associated with class and mass litigation. The Unit is responsible for the development and promotion of strategies to ensure uniform practices and tactics across the country in defending class actions and mass litigation.
- The National Security Group provides legal advice on national security and intelligence matters stemming from the amendments to the *Canada Evidence Act*, *Criminal Code* and *Security of Information Act* which formed part of the C-36 package, the *Anti-terrorism Act*.
- The International Assistance Group supports the Minister as Attorney General of Canada on extradition and mutual assistance matters. This work involves close liaison with government and law enforcement authorities abroad and in Canada.
- The Strategic Operations Unit which supports Canada's participation in the Financial Action Task Force (FATF) the international body responsible for setting anti-money laundering and anti-terrorist financing standards of which Canada is an active participant.
- The Office of Legal Risk Management (LRM) provides the key point of contact on legal risk management (LRM), and the Special Counsel fulfils a challenge function ensuring that LRM is being effectively carried out with respect to contingency planning, legal risk response, etc.
- Litigation Practice Management manages the delivery of (civil) litigation services by legal agents by providing operational support in relation to the appointment and remuneration of legal agents.

**Figure 6****Some of the key litigation that we will be tracking during 2007-08 include:**

Court approval of IRS Class Action settlement  
*Dumont/Manitoba Metis Federation*  
*McIvor*  
*Victor Buffalo*  
*Chief Hall*  
*Whitefish*  
*Roger William*  
*Sydney Tar Ponds*  
*McKenzie Gas Pipeline*

d) **The Official Languages Law Group (OLLG)** provides specialized legal advice on language rights to departments, agencies and other federal institutions. It offers information and advisory services to the Minister and various federal institutions on the interpretation of language rights through the development and coordination of legal expertise and advice in cooperation with other sections in the Department. Together with the Department of Canadian Heritage, the Public Service Human Resources Management Agency of Canada and the Privy Council Office, it ensures a better sharing of information, and a better compliance of federal policies, programs, initiatives and documents with the *Official Languages Act* and its regulations and policies.

The OLLG is also responsible for the development and coordination of the position of the Attorney General of Canada and the Government in linguistic litigation, and it provides support to counsel involved in litigation. As well, it is a source of strategic advice and guidance on specific issues during legal proceedings, for example when a trial is held in the minority language under the linguistic provisions of the *Criminal Code*.

Thirdly, the OLLG is in charge of the preparation and coordination of the provision of advice on linguistic policies, particularly with regards to any legislative amendment affecting language rights.

Finally, the Group provides training on language rights. It prepares various tools for the employees in the Department, the Government, and the public, such as judgment summaries, annotated statutes and information notes on the language provisions of the *Charter*. Training activities have been identified as a priority in the 2003 Action Plan for Official Languages. Legislative amendments require renewed efforts to make sure the *Act* is known and complied with.

e) **The Dispute Prevention and Resolution Services** provides leadership, support and services to DOJ including legal advisory services, training, operational policy development for the prevention of disputes that could result in litigation and the resolution of litigation claims. There are two priorities for the year that focus on methods to manage the volume of litigation. The development of a five-year pilot project on an early resolution option for certain tort claims will be finalized, including an evaluation framework to track results. As well, policy support will be provided for the development of the proposed *Commercial Mediation Act* and for the review of dispute resolution policies in order to facilitate the use of alternative dispute resolution mechanisms across Portfolios.

## **Part B: How we will measure our performance under this strategic outcome:**

In terms of indicators and measures of success in these activities, there are a number of means to capture a snapshot of Department's effectiveness in providing legal services to the Government of Canada's departments and agencies. As mentioned in the 2006-2007 Report on Plans and Priorities, the Department has begun to establish a more coordinated and standardized process for soliciting client feedback to ensure that client needs are being met with the provision of the highest quality services. A key component of this is the *development of data collection tools* to gather the information needed to monitor and report on performance. As a first step in this process, the Department, in partnership with Statistics Canada, launched a pilot standardized client feedback survey in 2006-2007. The survey has been successfully pilot tested across the Department of Indian and Northern Affairs and with the Canadian Food Inspection Agency. Applying lessons learned, DoJ is now seeking feedback from client departments and agencies across the Business and Regulatory Law Portfolio (representing about 40% of all federal government departments and agencies). Over the next fiscal year and on a cyclical basis thereafter, the Department intends to survey representatives from the federal departments and agencies that receive services from DOJ as part of its overall planning and performance management agenda. By completing this survey, clients will provide the Department with valuable performance information to help ensure that we are delivering high quality legal services that meet departments' and agencies' needs and expectations and identify areas where we might need to make improvements or address gaps in services.

As well, the Department is working to ensure that it has the tools and the capacity to collect relevant and credible information in regards to how we are managing our resources, both human and financial in the support of the delivery of legal services. This means that we will be reporting with more data on elements such as: the use of alternative dispute resolution (ADR) methods and the impacts of levels of risk on the resources used to address client requirements for legal services. Over time, we will be able to plot the trends in this data, but in the more immediate environment, we will be able to begin to establish baselines that will better enable us to determine when (or what) adjustments we may need to make in order to ensure that we are providing the best results for Canadians.

There are basically three elements of measures and indicators that support this strategic outcome. These are aimed at addressing the effective management of resources; the degree to which we support other government departments with our legal services; and the degree to which we are effectively enabling government to attain its key priorities.

Figure 7 shows the measures and indicators that will be used to assess performance in the delivery of integrated legal services over the reporting period.

Figure 7

### Priority III - Supporting other government departments and agencies in achieving Government of Canada priorities

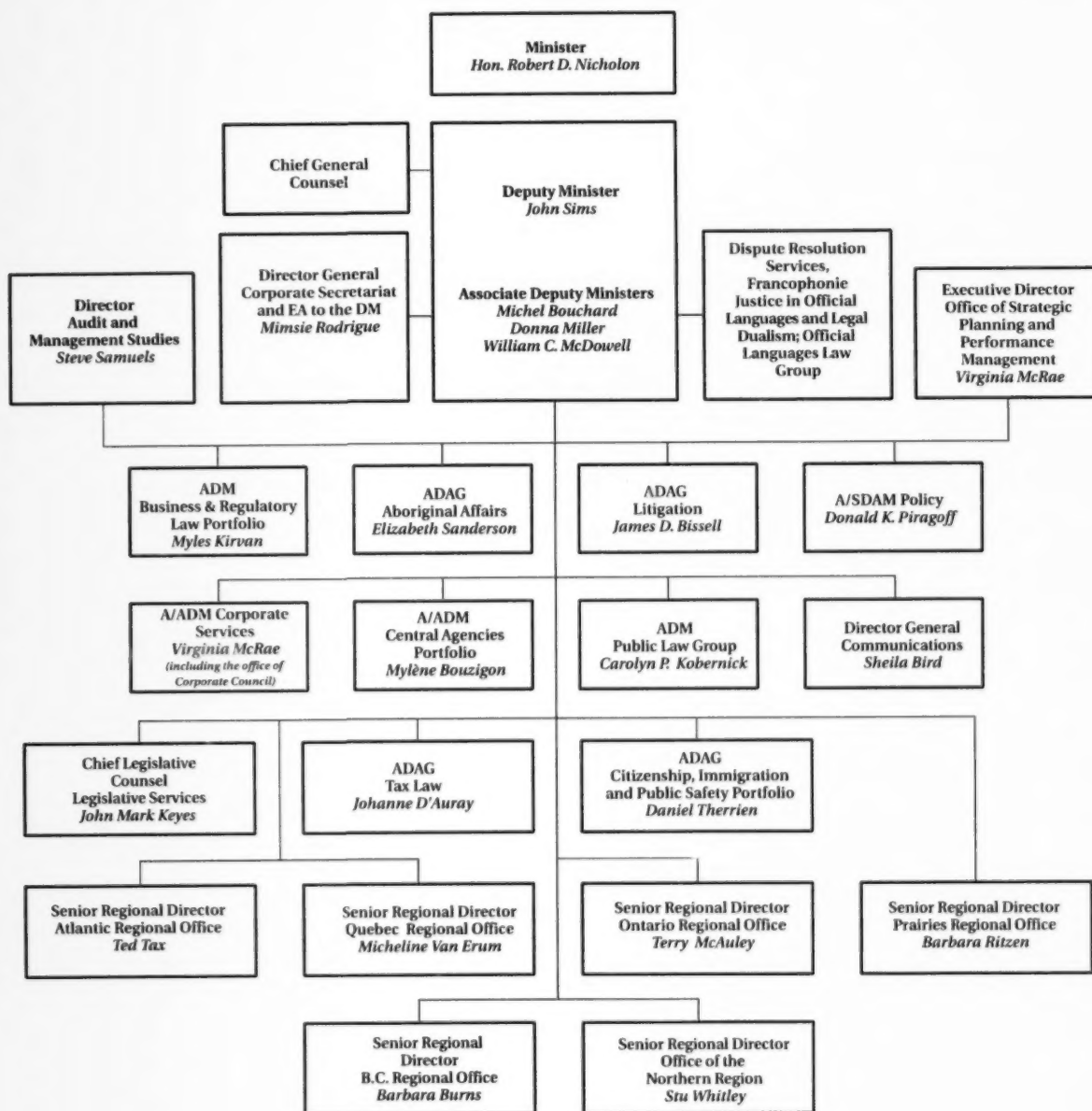
Key Results	Indicators	Measures	Data Collection
Effective management of resources	Workload	<ul style="list-style-type: none"> <li>Levels of effort devoted to:               <ul style="list-style-type: none"> <li>Litigation Services</li> <li>Legal Advisory services</li> <li>Legislative services</li> </ul> </li> </ul>	Timekeeping/Case management systems
	Litigation Inventory	<ul style="list-style-type: none"> <li>Number of open/active files at fiscal year-end (Active Inventory)</li> <li>Number of files closed during the year (Closed Inventory)</li> <li>Age of inventory (at closing)</li> <li>Trends in "backlog"</li> </ul>	Timekeeping/Case management systems
	Legislative Services Inventory	<ul style="list-style-type: none"> <li>Number of Orders in Council Prepared</li> <li>Number of Bills drafted</li> <li>Number of bill amendments drafted</li> <li>Number of Regulations published in Part I Canada Gazette</li> <li>Number of Regulations published in Part II Canada Gazette</li> </ul>	Timekeeping/Case management systems
	Managing Legal Risk	<ul style="list-style-type: none"> <li>Trends in risk profile for litigation inventory</li> <li>Level of effort by risk level (shown as proportion of total effort devoted to litigation files for hi, med and low risk files)</li> </ul>	Timekeeping/Case management systems
	Use of ADR methods	<ul style="list-style-type: none"> <li>Number of files settled by mediation, arbitration, negotiation</li> <li>Number of files where these methods were utilized regardless of outcomes</li> </ul>	Timekeeping/Case management systems
Supporting other government departments with high quality legal services	Client feedback on legal advisory, litigation and legislative services	<ul style="list-style-type: none"> <li>Client feedback about quality of services re:               <ul style="list-style-type: none"> <li>Usefulness</li> <li>Timeliness</li> <li>Responsiveness</li> </ul> </li> </ul>	Standardized Client Feedback Survey
Representing the Crown's interests to enable government to attain its key priorities	Awards and settlements	<ul style="list-style-type: none"> <li>Total value of awards and settlements for the closing inventory at the end of the fiscal year</li> </ul>	Timekeeping/Case management systems
	Litigation Outcomes	<ul style="list-style-type: none"> <li>Adjudicated</li> <li>Resolved</li> <li>Closed Administratively</li> </ul>	Case management systems
	Crown Results	<ul style="list-style-type: none"> <li>Successful</li> <li>Partially Successful</li> <li>Unsuccessful</li> </ul>	Case management systems
	Supreme Court of Canada Outcomes	<ul style="list-style-type: none"> <li>List of cases of importance to Canadians and the influence/explanation of the impact of the case on Canadians' life</li> </ul>	Case management systems and Top 100

## **SECTION III – SUPPLEMENTARY INFORMATION**

### **Tables and Charts**

- Table 1: Departmental Planned Spending and Full Time Equivalents
- Table 2: Voted and Statutory Items in Main Estimates
- Table 3: Services Received Without Charge
- Table 4: Sources of Respendable and Non-Respendable Revenue
- Table 5: Resource Requirement by Branch or Sector
- Table 6: Details on Transfer Payments Programs
- Table 7: Horizontal Initiatives
- Table 8: Sustainable Development Strategy
- Table 9: Internal Audits and Evaluations





DM - Deputy Minister  
SADM - Senior Assistant Deputy Minister  
ADM - Assistant Deputy Minister  
ADAG - Assistant Deputy Attorney General  
EA - Executive Assistant  
A/ - Acting

As of February 14, 2007



Table 1. Departmental Planned Spending and Full Time Equivalents

(\$ millions)	Forecast Spending 2006-2007	Planned Spending 2007-2008	Planned Spending 2008-2009	Planned Spending 2009-2010
Developing Policies and Laws	30.7	41.1	36.2	35.8
Developing and Implementing Programs	296.6	273.4	257.4	257.0
Providing Legal Advisory, Litigation and Legislative Services to Government	507.7	281.2	278.7	275.6
Providing Prosecution Services	80.7	0.0	0.0	0.0
<b>Total Main Estimates</b>	<b>915.7</b>	<b>595.7</b>	<b>572.4</b>	<b>568.4</b>
Adjustments (Note 1):				
Contributions respecting Legal Aid	44.5	-	-	-
Carry Forward	24.6	-	-	-
Contributions in support of Youth Justice Fund	2.5	-	-	-
Funding to combat against the Proceeds of Crime (Money Laundering) and Terrorist Financing Act	1.2	-	-	-
Funding for administration and delivery of the Universal Child Care Benefits to Canadian Families	0.3	-	-	-
Reallocation of Ministry's Regional responsibilities	0.3	-	-	-
Procurement Savings (ERC Savings )	-1.7	-	-	-
FPT financial arrangements concerning Youth Justice Services	-	53.8	53.8	53.8
Aboriginal Justice Strategy	-	4.0	4.0	4.0
Child-Centred Family Law Strategy	-	4.0	-	-
Strengthening Enforcement Budget 2003	-	-	3.8	3.8
Federal Accountability Action Plan	-	0.5	.2	0.2
CRA 2006 Omnibus - Tax Legislation and Policy Changes	-	0.2	0.2	0.2
2006 Canada-United States Softwood Lumber Agreement	-	0.2	0.1	0.1
CRA 2006 Omnibus	-	0.2	0.2	0.2
Repeal S.67 of CHRA	-	0.8	0.6	0.9
Victims of Crime - Victims Strategy	-	7.6	7.6	7.6
Office of Federal Ombudsman for Victims of Crime	-	1.5	1.5	1.5
Metis Litigation Strategy	-	4.2	4.2	-
Corporate Tax - Inter-Provincial Compliance	-	0.3	0.3	0.3
Contributions to the provinces and territories to assist in the operation of Legal Aid Systems	-	44.5	44.5	44.5
Internal Audit TB Vote 10 (inc. EBP) - Operations	-	0.1	-	-
<b>Total Adjustments</b>	<b>71.7</b>	<b>120.5</b>	<b>119.4</b>	<b>115.5</b>
<b>Total Planned Spending</b>	<b>987.4</b>	<b>717.7</b>	<b>693.3</b>	<b>685.4</b>
<b>Total Planned Spending</b>	<b>987.4</b>	<b>717.7</b>	<b>693.3</b>	<b>685.4</b>
Less: Cost Recovery (Note 3)	-164.8			
Less: Non-Respendable Revenue	-10.4	-10.4	-11.6	-12.8
Plus: Cost of Services Received Without Charge	74.7	76.4	79.1	78.1
<b>Net Cost of Program</b>	<b>886.9</b>	<b>783.7</b>	<b>760.8</b>	<b>750.7</b>
<b>Full Time Equivalents (Note 4)</b>	<b>4,088</b>	<b>4,140</b>	<b>4,150</b>	<b>4,150</b>

Note 1: Adjustments for 2006-2007 include Supplementary Estimates (A) and (B) (EBP included).  
Adjustments for 2007-2008 and future years consists of amounts identified in the Expenditure Status Report dated July 12<sup>th</sup>, 2007.

Note 2: The amounts listed include funding associated with accommodation for PWGSC.

Note 3: The Department recovers from client departments and agencies some of the costs incurred to deliver legal services. Through the Main Estimates process, Justice was granted authority to spend and recover \$225.8 million (including EBP) in 2006-2007, \$45.0 of which will not be used. From 2007-2008 and thereafter, it is included in Main Estimates as net recoveries.

Note 4: For 2007-2008 and future years, Public Prosecution Service of Canada (PPSC) will report their planned spending and associated FTEs. However, for 2006-07, FPS is still part of Department of Justice and includes FPS FTEs.

Following items in the TBS Planned Spending Report belong to PPSC:

Strengthening Enforcement Budget 2003		4.7	4.7
Additional Police Officers - RCMP		1.2	1.0
Additional Police Officers - RCMP	9.0	13.5	16.9

Table 2. Voted and Statutory Items in Main Estimates

(\$ millions)		2007-2008	
Vote or Statutory Items:	Truncated Vote or Statutory Working:	Current Main Estimates	Previous Main Estimates
1	Operating expenditures	262.0	549.0
5	Grants and contributions	266.4	286.9
(S)	Minister of Justice salary and motor car allowance	0.1	0.1
(S)	Contributions to employee benefit plans	67.2	79.8
<b>Total Department of Justice</b>		<b>595.7</b>	<b>915.8</b>

Table 3. Services Received Without Charge

(\$ millions)	2007-2008
Accommodation provided by Public Works and Government Services Canada (PWGSC)	42.7
Contributions covering employees' share of employees' insurance premiums and expenditures paid by TBS (excluding revolving funds)	33.5
Workers' compensation coverage provided by Human Resources and Skills Development Canada	0.2
<b>Total 2007-2008 Services received without Charge</b>	<b>76.4</b>

Table 4. Sources of Respendable and Non-Respendable Revenue

Non-Respendable Revenue (\$ millions)	Forecast Revenue 2006-2007	Planned Revenue 2007-2008	Planned Revenue 2008-2009	Planned Revenue 2009-2010
<b>Developing policies and laws</b>				
Family Order and Agreements Enforcement Assistance Program	7.9	7.9	8.8	9.7
Central Registry of Divorce Proceedings	0.9	0.9	1.0	1.1
Miscellaneous Revenues	0.0	0.0	0.0	0.0
	8.8	8.8	9.8	10.8
<b>Deleoping and implementing programs</b>				
Miscellaneous Revenues	0.0	0.0	0.0	0.0
	0.0	0.0	0.0	0.0
<b>Providing legal advisory, litigation and legislative services to government</b>				
Legal Services - Crown Corp. EBP	0.4	0.4	0.5	0.5
Court costs	0.7	0.7	0.8	0.9
Royalties and Patents	0.1	0.1	0.1	0.1
Miscellaneous Revenues	0.4	0.4	0.4	0.5
	1.6	1.6	1.8	2.0
<b>Total Non-Respendable Revenue</b>	<b>10.4</b>	<b>10.4</b>	<b>11.6</b>	<b>12.8</b>

Table 5. Resource Requirements by Branch or Sector

(\$ thousands)	2007-2008				
	Developing policies and laws	Developing and implementing programs	Office of the Federal Ombudsman for Victims of Crime	Providing legal advisory, litigation and legislative services to government	Total Planned Spending
Policy Sector	42,565	385,488	1,501	-	429,553
Legislative Services				21,593	21,593
Civil Litigation and Public Law	1,555			15,727	17,282
Tax Law Portfolio				60,795	60,795
Citizenship Immigration and Public Safety Portfolio				77,449	77,449
Aboriginal Affairs Portfolio				34,069	34,069
Business and Regulatory Law Portfolio				66,530	66,530
Central Agencies Portfolio				10,365	10,365
<b>Total</b>	<b>44,120</b>	<b>385,488</b>	<b>1,501</b>	<b>286,528</b>	<b>717,637</b>

Note: Identified resource requirements include approved A-base allocations, authorized cost recovery, corporate costs and EBP

Table 6: Details on Transfer Payments Programs

(\$)	Forecast Spending 2006-2007	Planned Spending 2007-2008	Planned Spending 2008-2009	Planned Spending 2009-2010
<b>GRANTS</b>				
<b>Developing and Implementing Programs</b>				
Uniform Law Conference of Canada - Administration Grant	18,170	18,170	18,170	18,170
Institut international de droit d'expression française	0	1,140	1,140	1,140
Canadian Association of Chiefs of Police for the Law Amendments Committee	12,274	12,274	12,274	12,274
British Institute of International and Comparative Law	0	7,220	7,220	7,220
Hague Academy of International Law	8,620	8,620	8,620	8,620
Canadian Human Rights Foundation	26,600	26,600	26,600	26,600
National Judicial Institute	268,345	268,345	268,345	268,345
Canadian Society for Forensic Science	38,600	38,600	38,600	38,600
Canadian Association of Provincial Court Judges	100,000	100,000	100,000	100,000
Grants in support of the Justice Partnership and Innovation Fund	165,031	565,031	565,031	465,031
Grants in support of the Aboriginal Justice Strategy	50,000	0	0	0
Grants in support of the Child-Centred Family Justice Fund	50,000	50,000	0	0
Grants in support of the Youth Justice Renewal Fund	1,015,000	880,000	880,000	880,000
Grants for the Victims of Crime Initiative	350,000	350,000	350,000	350,000
Grants under the Access to Justice in both Official Languages Support Fund	0	50,000	50,000	50,000
<b>Total Grants</b>	<b>2,102,640</b>	<b>2,376,000</b>	<b>2,326,000</b>	<b>2,226,000</b>
<b>CONTRIBUTIONS</b>				
<b>Developing and Implementing Programs</b>				
Contributions to the provinces to assist in the operation of Legal Aid Systems	119,827,507	79,827,507	79,827,507	79,827,507
Contributions in support of Public Security and Anti-terrorism - Legal Aid	1,089,000	2,000,000	2,000,000	2,000,000
Contributions to the provinces and territories in support of Youth Justice Services	177,302,415	144,750,000	144,750,000	144,750,000
Contributions to the provinces and territories in support of Youth Justice Services - Intensive Rehabilitative Custody and Supervision Program	3,500,000	-10,200,000	-10,200,000	-10,200,000
Contributions to the provinces under the Aboriginal Courtwork Program	4,836,363	4,836,363	4,836,363	4,836,363
Contributions under the Justice Partnership and Innovation Fund	2,489,415	2,553,251	2,553,108	2,253,108
Contributions under the Aboriginal Justice Strategy Fund	7,250,000	2,900,000	2,900,000	2,900,000
Contributions in support of the Child-Centred Family Justice Fund	16,200,027	11,950,027		
Contributions for Access to Justice Services to the Territories (being Legal Aid, Aboriginal Courtwork and Public Legal Education and Information Services)	4,856,593	3,356,593	3,356,593	3,356,593
Contributions in support of the Youth Justice Fund	3,835,000	2,650,000	2,650,000	2,650,000
Contributions for the Victims of Crime Initiative	2,250,000	2,400,000	2,550,000	2,708,000
Contributions under the Access to Justice in both Official Languages Support Fund	3,502,546	2,842,846	2,842,845	2,842,845
Contributions to support the implementation of official languages requirements under the Contraventions Act	3,114,900	8,686,829	9,393,000	9,393,000
Contributions in support of Federal Court-Ordered Counsel	978,000	0	0	0
Contributions in support of Federal Court-Ordered Counsel - Unique Legal Aid Cases	507,307	0	0	0
Contributions in support of Legal Aid Pilot Projects	955,000	0	0	0
Drug Treatment Court Funding Program	2,341,894	1,703,584	1,703,584	1,703,584
Contributions to the provinces under the Integrated Market Enforcement Teams (IMETs) Reserve Fund	0	3,750,000	0	0
<b>Total Contributions</b>	<b>354,835,967</b>	<b>264,007,000</b>	<b>249,163,000</b>	<b>249,021,000</b>
<b>Total Grants and Contributions as per Main Estimates</b>	<b>356,938,607</b>	<b>266,383,000</b>	<b>251,489,000</b>	<b>251,247,000</b>

Table 6: Details on Transfer Payments Programs (Continued)

(\$)	Forecast Spending 2006-2007	Planned Spending 2007-2008	Planned Spending 2008-2009	Planned Spending 2009-2010
<i>Adjustments (note 1)</i>				
Contributions to the provinces to assist in the operation of Legal Aid Systems		40,000,000	40,000,000	40,000,000
Grants for the Victims of Crime Initiative		1,400,000	1,400,000	1,400,000
Contributions for the Victims of Crime Initiative		4,350,000	4,350,000	4,350,000
Contributions under the Aboriginal Justice Strategy Fund		4,000,000	4,000,000	4,000,000
Contributions in support of the Child-Centred Family Justice Fund		4,000,000		
Contributions to the provinces and territories in support of Youth Justice Services		32,552,415	32,552,415	32,552,415
Contributions to the provinces and territories in support of Youth Justice Services - Intensive Rehabilitative Custody and Supervision Program		21,248,000	21,248,000	21,248,000
Contributions to the provinces under the Integrated Market Enforcement Teams (IMETs) Reserve Fund	0	0	3,750,000	3,750,000
Contributions in support of Federal Court-Ordered Counsel		1,400,000	1,400,000	1,400,000
Contributions in support of Federal Court-Ordered Counsel - Unique Legal Aid Cases		250,000	250,000	250,000
Contributions in support of Legal Aid Pilot Projects		955,000	955,000	955,000
Contributions for Access to Justice Services to the Territories (being Legal Aid, Aboriginal Courtwork and Public Legal Education and Information Services)		1,500,000	1,500,000	1,500,000
<i>Total Adjustments</i>	0	111,655,415	111,405,415	111,405,415
<b>Total Grants and Contributions</b>	<b>356,892,607</b>	<b>378,038,415</b>	<b>362,894,415</b>	<b>362,652,415</b>

**Note 1:** Adjustments for 2007-2008 and future years consists of amounts identified in the Expenditure Status Report dated January 19<sup>th</sup>, 2007.

For further detail regarding the Department's key transfer payment programs see [http://www.tbs-sct.gc.ca/est-pre/20062007/p3a\\_e.asp](http://www.tbs-sct.gc.ca/est-pre/20062007/p3a_e.asp).

Table 7: Horizontal Initiatives

Over the next three years, the Department of Justice will be involved in the following horizontal initiatives as either the lead or as a partner:

Name of Horizontal Initiative	DOJ Role
1. Drug Strategy	Partner
Note: The Drug Treatment Court Funding Program, managed by the Department of Justice, is a component of the Drug Strategy	
2. Action Plan Against Racism	Partner
3. Public Security and Anti-terrorism Initiative	Partner
4. Federal Accountability Act	Partner
5. Youth Justice Renewal	Lead
6. Family Violence Initiative	Partner

Supplementary information on Horizontal Initiatives can be found at [http://www.tbs-sct.gc.ca/rma/epi-ibdrp/hrdb-rhbd/profil\\_e.asp](http://www.tbs-sct.gc.ca/rma/epi-ibdrp/hrdb-rhbd/profil_e.asp).

Table 8: Sustainable Development Strategy

The Department of Justice's fourth Sustainable Development Strategy (SDS), covering the period 2007-2009, has been developed by building on accomplishments and challenges from the previous strategies, by responding to the government guidance for a more coordinated and consistent approach to implementing sustainable development in the Government of Canada, and by linking sustainable development efforts in the Department to other key activities under the Department's Program Activity Architecture (PAA).

The Strategy contains three key objectives:

- Further develop the capacity of the Department to support provision of legal services related to sustainable development
- Incorporate sustainable development principles and practices into the Department's policy and program operations
- Improve the environmental sustainability of the Department's physical operations

All objectives are aimed at improving the existing capacity and practices in the Department towards achieving sustainable development in its internal operations, as well as in its work with its client organizations, as appropriate.

The first objective supports the Department's second strategic outcome to ensure that "federal government is supported by effective and responsive legal services", by developing capacity for greater integration of sustainable development into the Department's legal services to the Government of Canada, as appropriate.

The second objective supports the achievement of the Department's first strategic outcome to ensure "a fair, relevant and accessible justice system that reflects Canadian values" through the development and implementation of policies, laws, and programs, by integrating more rigorously sustainable development principles and practices into its policies and programs.

The third objective represents a component of the corporate activity of "managing the Department and providing common services", which will be better achieved by enhancing the awareness of staff and by increasing efforts to reduce the Department's impact on our environment, including the implementation of the federal government's Green Procurement Policy.

Further details on this Sustainable Development Strategy may be obtained at:  
[http://www.justice.gc.ca/en/dept/pub/sds/07\\_09/index.html](http://www.justice.gc.ca/en/dept/pub/sds/07_09/index.html)



**SDS Departmental Goal:** Further develop the capacity of the Department to support provision of legal services related to sustainable development

Federal SD Goal including GGO goals	Performance Measure from current SDS	Department's Expected Results for 2007-08
<p><b>Goal #1: Clean and secure water for people, marine and freshwater ecosystems</b></p> <p><b>Goal #2: Clean air for people to breathe and ecosystems to function well</b></p> <p><b>Goal #3: Reduce greenhouse gas emissions Reduce greenhouse gas</b></p> <p><b>Goal #4: Communities enjoy a prosperous economy, a vibrant and equitable society, and a healthy environment for current and future generations</b></p> <p><b>Goal #5: Sustainable development and use of natural resources</b></p> <p><b>Goal #6: Strengthen federal governance and decision making to support sustainable development</b></p>	<ul style="list-style-type: none"> <li>• Sustainable development principles and practices currently linked to the work of the Department (case studies, best practices) are identified.</li> <li>• New areas for possible application of sustainable development advice and services are identified and explored.</li> <li>• Guidance is developed on the application of sustainable development in the provision of legal services.</li> <li>• Guidelines are developed to support staff in offering additional advice and services.</li> <li>• Learning and practical tools are developed to assist employees.</li> <li>• Training is offered and conducted to build additional expertise in the Department, when appropriate.</li> <li>• Training tools on sustainable development are produced in collaboration with other government departments and the Canada School of Public Service.</li> <li>• Legal risk management is linked to sustainable development.</li> </ul>	<ul style="list-style-type: none"> <li>• A minimum of 5 best practices and/or case studies will be identified, documented, and developed to support the enhancement of the Department's capacity to include sustainable development in its legal services, where appropriate</li> <li>• New areas for application of sustainable development will be identified</li> <li>• Guidelines, learning and practical tools will be identified to support achievement of this goal, along with the relevant existing training tools</li> <li>• A survey will be conducted to establish the baseline for raising awareness and knowledge of sustainable development among staff and to identify training needs</li> </ul>



**SDS Departmental Goal:** Incorporate sustainable development principles and practices into the Department's policy and program operations

Federal SD Goal including GGO goals	Performance Measure from current SDS	Department's Expected Results for 2007-08
<p><b>Goal #4: Communities enjoy a prosperous economy, a vibrant and equitable society, and a healthy environment for current and future generations</b></p> <p><b>Goal #6: Strengthen federal governance and decision making to support sustainable development</b></p>	<ul style="list-style-type: none"> <li>• Sustainable development principles and practices are clearly linked to the work of the Department (case studies, best practices).</li> <li>• Areas are identified to further incorporate sustainable development.</li> <li>• Guidelines, learning and practical tools are created to assist employees in applying sustainable development in their work.</li> <li>• Training is offered and conducted to build additional expertise within the Department, as appropriate.</li> <li>• Full compliance with the Cabinet Strategic Environmental Assessment Directive is achieved.</li> <li>• Policy research capacity is in place to analyze long-term effects of environmental degradation, emerging technologies, and social and economic issues on the work of the Department.</li> <li>• Policy and legal services priorities and activities are linked to government's priorities to address the environmental, social and economic pillars of sustainable development.</li> <li>• Sustainable development is integrated into the Management Accountability framework; sustainable development activities are re-grouped according to the departmental Program Activity Architecture structure.</li> <li>• Link is established between Legal Risk Management in the Department and the implementation of sustainable development.</li> <li>• Sustainable development is considered a departmental priority.</li> <li>• Procedures are in place to collect data and to monitor and report on progress in sustainable development efforts.</li> </ul>	<ul style="list-style-type: none"> <li>• A minimum of 5 case studies and/or best practices will be developed to demonstrate clear link to sustainable development</li> <li>• Areas where sustainable development can be applied more rigorously will be identified</li> <li>• Full compliance will be achieved with the Cabinet Strategic Environmental Assessment Directive</li> <li>• Policy research capacity will be enhanced to address sustainable development issues impacts on the Department's work</li> <li>• SD activities will be re-grouped and linked to the Department's Program Activity Architecture</li> <li>• Legal risk management will be linked to sustainable development</li> <li>• Sustainable development will be integrated into our corporate priorities</li> <li>• Processes and systems will be developed to monitor progress of sustainable development activities</li> </ul>

**SDS Departmental Goal:** Improve the environmental sustainability of the Department's physical operations

<b>Federal SD Goal including GGO goals</b>	<b>Performance Measure from current SDS</b>	<b>Department's Expected Results for 2007-08</b>
<p><b>Goal #1: Clean and secure water for people, marine and freshwater ecosystems</b></p> <p><b>Goal #2: Clean air for people to breathe and ecosystems to function well</b></p> <p><b>Goal #3: Reduce greenhouse gas emissions Reduce greenhouse gas</b></p> <p><b>Goal #5: Sustainable development and use of natural resources</b></p>	<ul style="list-style-type: none"> <li>• All areas of significant environmental impact by the Department are identified and measures are identified to reduce this impact by a minimum of 20%.</li> <li>• Double-sided printing is promoted and set as a default standard across the Department, to the extent possible.</li> <li>• Practices are in place to promote electronic data disclosure and sharing, reducing paper consumption by 30% from the 2006 level.</li> <li>• Paper consumption levels are stabilized and monitored.</li> <li>• Diversion of solid waste in Headquarters' operations is increased from 78% to 86%, as recommended by the 2006 audit (based on baseline year 1999).</li> <li>• Monitoring process and measures to track waste diversion efforts are in place and are reported on regularly.</li> <li>• Training for managers on environmental sustainable development practices is created and delivered.</li> <li>• Specific targets and performance measures are in place and included in managers' performance agreements to demonstrate and monitor progress of their commitments to implementing sustainable development.</li> <li>• Recommendations from energy and solid waste management audits for Headquarters buildings are implemented and monitored.</li> <li>• All appropriate staff are trained on the application of the Green Procurement Policy.</li> <li>• All suppliers used offer green products.</li> <li>• Green procurement is considered in every transaction.</li> <li>• Green stock purchases amount to a minimum of 50% of all purchases.</li> <li>• Green procurement targets are developed and built into all responsible managers' and staff performance agreements.</li> <li>• Spending data has been assessed, baseline established and specific targets developed by 2009 for the main five categories of purchases.</li> <li>• A standard reporting mechanism is developed within the financial system to monitor the Department's compliance with the Policy.</li> </ul>	<ul style="list-style-type: none"> <li>• All areas of significant impact will be identified</li> <li>• A pilot area will be established and measures implemented to reduce environmental impact in one area by 20%</li> <li>• Double-sided printing will be monitored and increased by 20%</li> <li>• Paper consumption levels will be monitored and measures put in place to reduce consumption by 10%</li> <li>• Diversion of solid waste will be increased from 78 to 80%</li> <li>• Training will be developed for all appropriate managers on sustainable development practices</li> <li>• Specific sustainable development targets will be developed and included in senior managers' performance agreements, including targets on green procurement</li> <li>• Implementation of at least two recommendations from the energy and solid waste audits will be initiated</li> <li>• All appropriate staff will have received training on Green Procurement Policy</li> <li>• Increase in suppliers offering green products will be monitored</li> <li>• Spending data will be assessed and baseline for future purchases established</li> </ul>

Table 9: Completed and Upcoming Internal Audits and Evaluations (Last 3 fiscal years)

1. Name of Internal Audit/Evaluation	2. Audit Type/ Evaluation Type	3. Status	4. Actual Completion Date
Citizenship & Immigration LSU	Audit	In-progress	March 2007
Royal Canadian Mounted Police LSU	Audit	In-progress	March 2007
Contracting Process	Audit	In-progress	March 2007
Materiel Management	Audit	In-progress	March 2007
PAYE Process	Audit	In-progress	March 2007
Security at HQ	Audit	In-progress	March 2007
Fire and Emergency	Audit	In-progress	March 2007
iCase - Phase II	Audit	In-progress	March 2007
CCFJF (RBAF) - Canada Child-centred Family Justice Fund	Audit	In-progress	March 2007
Management of Information Technology Security	Audit	In-progress	March 2007
Canada Revenue Agency LSU	Audit	Planned	March 2008
Comptrollership Function	Audit	Planned	March 2008
Occupational Health & Safety	Audit	Planned	March 2008
Accrual Accounting	Audit	Planned	March 2008
Salary Management System (SMS)	Audit	Planned	March 2008
Human Resources/Skills Development LSU	Audit	Planned	March 2008
Ontario Regional Office – Finance & Administration	Audit	Planned	March 2008
Summative Evaluation of Aboriginal Justice Strategy	Evaluation	In-progress	2006-2007
PSAT Summative Evaluation	Evaluation	In-progress	2007-2008
Measures to Combat Organized Crime Summative Evaluation - DOJ Component	Evaluation	In-progress	2006-2007
Unified Family Court (UFC) Summative Evaluation	Evaluation	In-progress	2007-2008
Summative Evaluation of the Family Law Assistance Services Section	Evaluation	In-progress	2006-2007
Summative Evaluation of the Child Centred Family Law Strategy (CCFLS)	Evaluation	In-progress	2007-2008
Formative Evaluation of <i>Contraventions Act</i> Fund	Evaluation	In-progress	2006-2007
Summative Evaluation of <i>Contraventions Act</i> Fund	Evaluation	In-progress	2007-2008
Summative Evaluation-Access to Justice in Both Official Languages			
Support Fund ( <i>Official Languages Act</i> )	Evaluation	In-progress	2007-2008
Formative Evaluation of Aboriginal Courtworker Program	Evaluation	In-progress	2006-2007
Formative Evaluation of Nunavut Unified Court	Evaluation	In-progress	2006-2007
Youth Justice Renewal Initiative (YJRI) Summative Evaluation	Evaluation	In-progress	2006-2007
Summative Evaluation of JPIP	Evaluation	In-progress	2006-2007
Formative Evaluation-Legal Risk Management	Evaluation	In-progress	2006-2007
Interdepartmental Formative Evaluation - Canada's Drug Strategy	Evaluation	In-progress	2006-2007
Formative Evaluation of Victims of Crime Renewal Initiative	Evaluation	Planned	2007-2008
Summative Evaluation of the <i>Youth Criminal Justice Act</i>	Evaluation	Planned	2007-2008
Summative Evaluation - Crimes Against Humanity and War Crimes Program	Evaluation	Planned	2008-2009
Interdepartmental Summative Evaluation - Canada's Drug Strategy	Evaluation	Planned	2008-2009
Drug Treatment Court Formative Evaluation	Evaluation	Planned	2008-2009

Electronic Link to Internal Audit and Evaluation Plan:

Index of Completed Internal Audits: [http://canada.justice.gc.ca/en/dept/pub/audit\\_reports/index.html](http://canada.justice.gc.ca/en/dept/pub/audit_reports/index.html)

Index of Completed Evaluations: <http://canada.justice.gc.ca/en/ps/eval/index.html>

## SECTION IV – OTHER ITEMS OF INTEREST

### Corporate Management Plans:

The Department also establishes corporate priorities and plans to improve the management of the Department and facilitate the successful delivery of the outcomes we want to achieve for Canadians. Our activities in this vein reflect the elements of the Government's Management Accountability Framework<sup>11</sup>. The Department focuses on a small number of key elements of the MAF as identified in cooperation with Treasury Board Secretariat.

Over the fiscal year 2007-2008, our priority areas include: Our People, and the Implementation of the Sustainable Funding Regime (stemming from the Review of Legal Services).

### Our People

Under the Our People corporate priority, the DOJ will continue to undertake initiatives to improve workplace and employee well-being as a result of the departmental Workplace Health Needs and Risk Survey conducted in 2005-2006 and the development and implementation of an action plan for the 2005 Public Service Employee Survey.

In addition, a focus on a more strategic and integrated approach to strengthening the leadership and management cadre will be undertaken to respond to the Clerk of the Privy Council's priorities around roles, responsibilities and accountabilities, public service renewal, and strong and effective leadership, and to respond to the outcomes of the review of the LA standard which will define and strengthen the management cadre of the LA group. This will involve the development and implementation of a Human Resources Framework that allows individuals, in both formal and informal roles, to enhance their skills, knowledge and abilities as current or future leaders and managers within the Department of Justice. The HR Framework will provide the roadmap as to the vision, strategies and initiatives that will be undertaken to build a sustained, aligned and competent leadership and management cadre.

Other leadership initiatives already underway that will support this framework will continue, including the learning component of the twenty participants in the pilot Justice Leaders of Tomorrow Program. This developmental program will enhance the participants' key leadership competency skills sets, such that they are better prepared for any future management competitions in the Department of Justice; as well as the

11 For further detail regarding the Government's Management Accountability Framework see [http://www.tbs-sct.gc.ca/maf-crg/intro\\_e.asp](http://www.tbs-sct.gc.ca/maf-crg/intro_e.asp).

activities being planned in support of the newly launched departmental Leaders Network that provides supervisors, managers and individuals with an interest in management or leadership issues, with information and tools to help them fulfil their roles effectively and efficiently.

DOJ will also continue to build momentum to be seen as a leader in relation to HR Modernization. Initiatives will be developed and delivered to ensure that managers and supervisors are able to take full advantage of the modernization flexibilities in their human resources management plans and decisions. In support of this, opportunities will be identified to streamline business processes through the use of technology, continued efforts will be made in support of effective integrated business and human resources planning processes, and further plans will be directed at continuing to build the capacity of managers to more effectively and efficiently carry out their responsibilities and accountabilities in the area of human resources management.

The unionization of lawyers and the introduction of collective bargaining as a result of the new *Public Service Labour Relations Act* will continue to be a key factor in any of the initiatives undertaken in the area of human resources. Recognizing that lawyers make up more than half of the departmental workforce, there will be a huge impact on the culture of the Department requiring change management initiatives to deal with the challenges and opportunities that this will bring about. Targeted awareness sessions on unionization will continue to be offered to assist managers with the transition, the management of unionized workforce, the impact of the changes on the individual and the organization as well as the development of a partnership with the new bargaining agent. The sessions being planned over the next two fiscal years are essential to getting departmental managers to understand the *PSLRA* provisions and embrace the change and the spirit of collaborative labour-management relationships and will ensure that the change is fully integrated in the business and corporate culture of the organisation.

### **Establishing a sustainable funding strategy**

The Review of Legal Services to Government launched in 2004-05 had the following two key objectives:

- Improve the sustainability of legal services delivery to the Government of Canada by recommending strategies to improve legal services delivery and ensure a sustainable funding regime.
- Identify approaches to effectively manage litigation in the federal government through an analysis of litigation drivers and trends, the documentation of best practices for managing the litigation process, and the development of recommendations for improving the efficiency and effectiveness of litigation management.

The Review was undertaken in collaboration with the Treasury Board Secretariat. In 2004-05 and 2005-06, the Review formulated a preliminary series of recommendations related to legal services delivery models; funding models; government approaches for improving the management of litigation; and to efficiencies in the management of legal services delivered to government departments. The Department of Justice consulted government departments and agencies on these preliminary recommendations. Findings and results from these consultations have informed the final Review recommendations.

In 2006-07, the Department of Justice completed its work on the Review of Legal Services. The Department of Justice obtained approval for the implementation, on April 1, 2007, of a net voting regime for the appropriate spending of revenues received from departments and agencies for the legal services rendered. Treasury Board approved the reliance on a mix of Justice appropriations and recoveries from departments and agencies to fund the provision of legal services to Government. Throughout the year, the Department of Justice worked closely with the Treasury Board Secretariat and with departments and agencies to further elaborate operational practices pertaining to the implementation of the recovery model in Government. The finding and final recommendations from the Review of Legal Services as well as the rate structure and annual legal services rates will be presented to TB Ministers for approval in March 2007.

During 2007-08, the Department of Justice will monitor the implementation of the legal services funding and recovery model and continue to work closely with the Treasury Board Secretariat and with departments and agencies to ensure the sustainable, efficient and effective delivery of legal services in Government.



## Legislation Administered by the Department

The Department of Justice exists by virtue of the Department of Justice Act, first passed in 1868. The Act establishes the Department's role and sets out the powers, duties and functions of the Minister of Justice and the Attorney General of Canada.

In addition to this general enabling statute, the Minister and the Department have responsibilities under a number of other laws. These range from fairly routine matters, such as tabling the annual report of an agency in Parliament, to broader responsibilities, such as the obligation to review all government bills and regulations for compliance with the Canadian Charter of Rights and Freedoms, the Canadian Bill of Rights and the Statutory Instruments Act. The laws for which the Minister has sole or shared responsibility to Parliament are listed below.<sup>12</sup>

Access to Information Act, R.S. 1985, c. A-1

(responsibility shared with the President of the Treasury Board).<sup>13</sup>

Annulment of Marriages Act (Ontario), R.S.C. 1970, c. A-14.

Anti-Terrorism Act, S.C. 2001, c. 41.

Bills of Lading Act, R.S. 1985, c. B-5 (responsibility shared with the Minister of Transport).

Canada Evidence Act, R.S. 1985, c. C-5.

Canada-United Kingdom Civil and Commercial Judgments Convention Act, R.S. 1985, c. C-30.

Canada Prize Act, R.S.C. 1970, c. P-24.

Canadian Bill of Rights, S.C. 1960, c. 44; reprinted in R.S.C. 1985, Appendix III.

Canadian Human Rights Act, R.S. 1985, c. H-6.

Civil Marriage Act, 2005, c. 33.

Commercial Arbitration Act, R.S. 1985, c. 17 (2<sup>nd</sup> Supp.).

Courts Administration Service Act, S.C. 2002, c. 8.

Contraventions Act, S.C. 1992, c. 47.

Criminal Code, R.S. 1985, c. C-46 (responsibility shared with the Solicitor General of Canada,<sup>14</sup> and the Minister of Agriculture and Agri-Food (s. 204)).

Crown Liability and Proceedings Act, R.S. 1985, c. C-50.

Department of Justice Act, R.S. 1985, c. J-2.

Divorce Act, R.S. 1985, c. 3 (2<sup>nd</sup> Supp.).

<sup>12</sup> This list, prepared in February 2004, is an unofficial version for information only.

<sup>13</sup> Responsibility shared with the President of the Treasury Board in the following manner: Minister of Justice (for purposes of paragraph (b) of the definition of "head" in section 3, subsection 4(2), paragraphs 77(1) (f) and (g) and subsection 77(2)); and the President of the Treasury Board (for all other purposes of the Act) (SI/83-108).

<sup>14</sup> The portfolio of the Solicitor General of Canada was replaced by the portfolio of Public Safety and Emergency Preparedness on December 12, 2003. The legislation has not yet been amended to reflect this.



Escheats Act, R.S. 1985, c. E-13.

Extradition Act, S.C. 1999, c. 18.<sup>15</sup>

Family Orders and Agreements Enforcement Assistance Act,  
R.S. 1985, c. 4 (2<sup>nd</sup> Supp.).

Federal Courts Act, R.S. 1985, c. F-7.<sup>16</sup>

Federal Law-Civil Harmonization Act, No.1, S.C. 2001, c. 4.

Firearms Act, S.C. 1995, c. 39.<sup>17</sup>

Foreign Enlistment Act, R.S. 1985, c. F-28.

Foreign Extraterritorial Measures Act, R.S. 1985, c. F-29.

Garnishment, Attachment and Pension Diversion Act, R.S. 1985, c. G-2  
(responsibility shared with the Minister of National Defence, Minister of  
Public Works and Government Services, and Minister of Finance<sup>18</sup>).

Identification of Criminals Act, R.S. 1985, c. I-1.

International Sale of Goods Contracts Convention Act, S.C. 1991, c. 13.

Interpretation Act, R.S. 1985, c. I-21.

Judges Act, R.S. 1985, c. J-1.

Law Commission of Canada Act, S.C. 1996, c. 9.

Legislative Instruments Re-enactment Act, S.C. 2002, c. 20.

15 Section 84 of the new Extradition Act, 1999, c. 18, provides that the repealed Act (R.S. 1985, c. E-23) applies to a matter respecting the extradition of a person as though it had not been repealed, if the hearing in respect of the extradition had already begun on June 17, 1999.

16 Formerly the Federal Court Act. The title was amended to the Federal Courts Act in the Courts Administration Service Act, S.C. 2002, c. 8, s. 14.

17 The Firearms Program was transferred to the Solicitor General (Public Safety and Emergency Preparedness) as of December 12, 2003, although the legislation has not yet been amended to reflect this change) as of April 14, 2003. See SOR/2003-145.

18 Responsibility shared in the following manner: (a) Minister of Justice and Attorney General of Canada, General (Part I) (SI/84-5), and for the purposes of sections 46 and 47 of the Act, items 12 and 16 of the schedule to the Act and the other provisions of Part II of the Act as those provisions relate to the Judges Act (SI/84-6); (b) the Minister of National Defence, for the purposes of the provisions, except sections 46 and 47, of Part II of the Act as those provisions relate to the Canadian Forces Superannuation Act and the Defence Services Pension Continuation Act (SI/84-6); (c) the Minister of Finance, for the purposes of the provisions, except sections 46 and 47, of Part II of the Act as those provisions relate to the Members of Parliament Retiring Allowances Act (SI/84-6); and (d) the Minister of Public Works and Government Services, for the purposes of the provisions, except sections 46 and 47, of Part II of the Act as those provisions relate to  
(i) the Governor General's Act,  
(ii) the Lieutenant Governor's Superannuation Act,  
(iii) the Diplomatic Service (Special) Superannuation Act,  
(iv) the Public Service Superannuation Act,  
(v) the Civil Service Superannuation Act,  
(vi) the Royal Canadian Mounted Police Superannuation Act, Part I,  
(vii) the Royal Canadian Mounted Police Pension Continuation Act, Parts II and III,  
(viii) the Currency, Mint and Exchange Fund Act, subsection 15(2) (R.S. 1952, c. 315)  
(ix) the War Veterans Allowance Act, subsection 28(10),  
(x) regulations made under Vote 181 of Appropriation Act No. 5, 1961, and  
(xi) the Tax Court of Canada Act (SI/84-6).

Marriage (Prohibited Degrees) Act, S.C. 1990, c. 46.

Modernization of Benefits and Obligations Act, S.C. 2000, c. 12.

Mutual Legal Assistance in Criminal Matters Act, R.S. 1985, c. 30 (4<sup>th</sup> Supp.).

Official Languages Act, R.S. 1985, c. 31 (4<sup>th</sup> Supp.).

Postal Services Interruption Relief Act, R.S. 1985, c. P-16.

Privacy Act, R.S. 1985, c. P-21

(responsibility shared with the President of the Treasury Board <sup>19</sup>).

Revised Statutes of Canada, 1985 Act, R.S. 1985, c. 40 (3<sup>rd</sup> Supp.).

Security Offences Act, R.S. 1985, c. S-7.

Security of Information Act, R.S. 1985, c. O-5.

State Immunity Act, R.S. 1985, c. S-18.

Statute Revision Act, R.S. 1985, c. S-20.

Statutory Instruments Act, R.S. 1985, c. S-22.

Supreme Court Act, R.S. 1985, c. S-26.

Tax Court of Canada Act, R.S. 1985, c. T-2.

United Nations Foreign Arbitral Awards Convention Act, R.S. 1985, c. 16 (2<sup>nd</sup> Supp.).

Youth Criminal Justice Act, S.C. 2002, c. 1 (replaces Young Offenders Act, R.S. 1985, c. Y-1).

19 Responsibility is shared in the following manner: Minister of Justice, for purposes of paragraph (b) of the definition of "head" in section 3, subsection 12(3), paragraphs 77(1) (a), (d), (g) and (l) and subsection 77(2); President of the Treasury Board, for all other purposes of the Act (SI/83109).

## **B. Contact information**

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## C. Information Online

For more information about the management terms used in this document, please consult the Treasury Board Secretariat's Lexicon for RPP:  
[http://www.tbs-sct.gc.ca/est-pre/20052006/lex\\_e.asp](http://www.tbs-sct.gc.ca/est-pre/20052006/lex_e.asp)

For more information about the Department of Justice, please consult the following electronic publications:

**About the Department of Justice**

<http://www.justice.gc.ca/en/dept/pub/about/index.html>

**Access to Justice in Both Official Languages Support Fund**

[http://canada.justice.gc.ca/en/ps/ol/official\\_languages.html](http://canada.justice.gc.ca/en/ps/ol/official_languages.html)

**Department of Justice Evaluation Reports**

<http://www.justice.gc.ca/en/ps/eval/list.html>

**Department of Justice Internal Audit Reports**

[http://www.justice.gc.ca/en/dept/pub/audit\\_reports/index.html](http://www.justice.gc.ca/en/dept/pub/audit_reports/index.html)

**Departmental Performance Report**

<http://www.justice.gc.ca/en/dept/pub/dpr/home.html>

**Public Legal Education and Information**

[http://canada.justice.gc.ca/en/ps/pb/legal\\_ed.html](http://canada.justice.gc.ca/en/ps/pb/legal_ed.html)

**Report on Plans and Priorities, 2005-2006**

[http://www.justice.gc.ca/en/dept/pub/rpp/2005\\_2006/toc.html](http://www.justice.gc.ca/en/dept/pub/rpp/2005_2006/toc.html)

**Research and Statistics**

<http://www.justice.gc.ca/en/ps/rs/index.html>

**Sustainable Development Strategy, 2004-2006**

[http://www.justice.gc.ca/en/dept/pub/sds/04\\_06/index.html](http://www.justice.gc.ca/en/dept/pub/sds/04_06/index.html)

The Department of Justice produces many other publications and reports on a variety of subjects. For a complete listing, please visit the Publications page on our Internet site:

[http://www.justice.gc.ca/en/dept/pub/subject\\_index.html](http://www.justice.gc.ca/en/dept/pub/subject_index.html)